

DOCKET NO. UNGR-1580

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Evan C. Unger

Serial No.: 09/413,110

Filed: October 6, 1999

For: IMPROVED METHODS FOR
DELIVERING BIOACTIVE AGENTS



Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a



Utility Patent



Design Patent

is sought on the invention, whose title appears above, the specification of which:



is attached hereto.



was filed on October 6, 1999 as Serial No. 09/413,110.



said application having been amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any **foreign application(s)** for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Priority Claimed (If X'd)	Country	Serial Number	Date Filed
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____
<input type="checkbox"/>	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Date Filed	Patented/Pending/Abandoned
09/290,324	April 12, 1999	Pending
08/666,129	June 19, 1996	Pending
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Serial Number	Date Filed
_____	_____

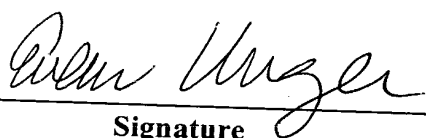
I hereby appoint the following persons of the firm of **WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP**, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania 19103 as attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Suzanne E. MillerReg. No. 32,279David A. CherryReg. No. 35,099

Address all telephone calls and correspondence to:

David A. Cherry, Esquire
**WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP**
One Liberty Place - 46th Floor
Philadelphia PA 19103
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Facsimile No.: (215) 568-3439

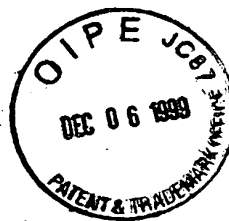
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Evan C. Unger	 Signature Date of Signature: <u>11-11-99</u> Citizenship: <u>United States</u>
Mailing Address: 6227 E. Miramar Street Tucson, Arizona 85710	
City/State of Actual Residence: Tucson, Arizona	

Applicant or Patentee: Evan C. Unger

Serial No.: 09/413,110

Filed: October 6, 1999



Attorney's Docket No.: UNGR-1580

For: **IMPROVED METHODS FOR DELIVERING BIOACTIVE AGENTS**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(36 CFR 1.9(d) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official empowered to act on behalf of the concern identified below:

NAME OF CONCERN: ImaR, LLC
ADDRESS OF CONCERN: 1635 E. 18th Street
Tucson, Arizona 85719

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that: (1) the number of employees of the concern, including those of its affiliates, does not exceed 500 persons; and (2) the concern has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **IMPROVED METHODS FOR DELIVERING BIOACTIVE AGENTS** by inventor(s) **Evan C. Unger** described in

- ☐ specification filed herewith, with title as listed above.
- ☒ application serial no. 09/413,110, filed October 6, 1999.
- ☐ patent number identified above.